

March State Rehab Council Minutes

3/21/00

Present: Rasmussen (left at 12:30), Gieschen, Davis, Ortmeier, Fox, Temple, Lloyd (left at 1:30), Carey, Battreall, Shepard, Kolb

Absent: Peterson, Bloechle, Uehling, Nolan Brown, Zabawa, Johnson, Vavrina

I. *Public Comment* - None

II. *Approval of Agenda* - Changes to the agenda included:

- Curt Beck was not available to give a presentation from the Workforce Investment Board
- A report on Career Planning was added under New Business and will be given by Janet Drudik
- The report on Financial Participation will be given at the beginning of the meeting

A motion to approve the agenda as amended was made by Battreall and seconded by Carey. Motion passed.

III. *Approval of Minutes from January 18, 2000*

A motion to approve the minutes from January 18, 2000 was made by Davis and seconded by Fox. Motion passed.

IV. *Presentation* – Workforce Investment Boards

Michelle Davis provided the council with the following update on the status of the Workforce Investment Board of Greater NE:

The Youth Council has been established and is working to identify what will be offered for summer youth opportunities and year around activities. The old JTPA money must be spent by June 30.

Western Management Services has been selected as the service provider for greater NE. They will be hiring the appropriate JTPA staff based on needs and qualifications. A majority of JTPA staff are excited about the transition and implementing the WIA vision.

The applications for the one stop centers in greater NE were due on March 10 to Joan Modrell at the Department of Labor. The selection committee will make a recommendation regarding where the first one stop center in greater NE should be located, and who will be the one stop operator. The one stop operator will be involved in making sure the Memorandum's of Understanding are followed, performance measures are being met, etc. The Department of Labor and Western Management Services are the only two entities that have applied to serve as the one stop operator.

Frank Lloyd provided the following update regarding VR's role in workforce development:

Arvin Frazier from the Omaha VR office has been appointed to the Omaha Board; Terry Wegner from the Grand Island VR office has been appointed to the Greater NE Board; and Pat Bracken from the Lincoln VR office has been appointed to the Lincoln Board. Frank represents NDE and VR on the State Workforce Development Board.

VR has been actively working with workforce development across the state and recently completed a survey form from Greater NE regarding VR's role in the workforce development

centers. Copies of VR's response was distributed to the council. VR's position is that VR funds need to be reserved for people who experience a disability, and not used to serve the general public. The money used to fund the centers will serve the general public. VR is a specialized program which operates out of specialized offices. VR will continue to make their position known to the local boards, and help them understand that VR is under an order of selection and their money should be used to serve those who qualify for VR services.

Gieschen read a resolution endorsed by the Executive committee for the council to consider. A motion was made by Battreall and seconded by Fox that the resolution be accepted for discussion purposes only. Motion passed.

Frank indicated that the resolution states that VR funds will not be used to provide core services to the general public, but only used for specialized services for people who qualify for VR. These specialized services are not paid for by the workforce investment system, but by VR. VR is a one-stop shop for employment for people with disabilities. Individuals who have disability related issues that cannot be addressed by the services and resources available at the one stop centers should come to VR. VR will pay for disability related services, but not for general core services that the public are entitled to receive without eligibility requirements in the one-stop centers. The law is clear that if an individual has a disability related issue that requires specialized services, VR has a responsibility to pay for these services as funds are available. If they don't require specialized VR services, the one-stop centers have a responsibility to pay for it.

Davis expressed concerns about VR's position. WIA is to have a seamless delivery system with the one-stop center for employment as the focal point. If an individual with a disability can have a resume developed at the one-stop center because it is a service provided, this free's up VR funds that are traditionally used for these services. Temple indicated that this would only free up money if the person could have been served under the order of selection. Many individuals with disabilities who need a service such as resume writing, would not have been eligible for services under VR's order of selection. This is no different then people with disabilities who currently go to the Job Service or JTPA and are served at no cost. People with mild disabilities will continue to go to the one stops, and people with more extensive disabilities will continue to be served by VR.

Lloyd commented that many states do not have enough money to build the one stop centers, so they are looking to the partners to offset the administrative costs. The more partners that participate in the centers, the more administrative costs can be offset. The VR offices in Nebraska do not work as individual caseload carrying counselors, they work in employment teams. When staff are moved out, costs for housing, people, equipment, etc. begins to double. VR has agreed to work with the Department of Labor to link into the same database to communicate with the centers, but will continue to use VR funds to provide services for people with disabilities.

Carey indicated that many people with disabilities are not in favor of VR funds being used for the one stop centers. They believe it will get them fewer jobs, opportunities that might have been theirs will go to those more able bodied individuals, and they will lose out on services.

Davis indicated that the federal government has said that a universal intake system is needed for a one stop delivery system. Lloyd commented that putting all of the partners in one building does not solve the separate application or universal intake problem. The answer to that is a unified database. A seamless delivery system is created by finding and linking the resources for consumers. This does not necessarily mean putting all the staff in the same building.

The council agreed to table the resolution until the May meeting for a vote. It was suggested that the resolution be sent to all council members with a more clear definition of what it means to vote yes or no. It was also suggested that a copy of the proposed federal regulations regarding VR's role be distributed to the council for comment at the May meeting.

V. Reports

A. Director's Report (*Frank Lloyd*)

1. Five people from the Illinois VR program came to NE VR to meet with staff. They were interested in what NE VR is doing and how it is different. Staff discussed transition, front end planning, direct services, employment teams, targeting industries, and the employment warranty program.
2. QUEST – The work continues on VR's new data system. Several pieces are not operational yet. Determinations, the place in the system where major milestones are activated, was recently finished. Only authorized personnel can make determinations, which takes staff through a series of questions to determine eligibility, order of selection, and other milestones required by law.
3. Workforce Development – VR is currently negotiating the data elements that will be shared between the Department of Labor and the VR QUEST system. This is an important piece that can link the 19 partners.
4. Frank will be speaking to the State Workforce Investment Planning and Technical Issues subcommittee on April 7 about VR's role in the one stop centers. He will also be speaking at a later date to the Special Populations subcommittee about VR's role in the one-stop system.
5. State staff – VR has scheduled their state staff conference for April 25 and 26 in Kearney. All staff will be involved in the training, which will revolve around the front end processes in 5 areas:
 - a) mediation;
 - b) critical team questioning - making sure staff are asking the right questions in enough detail for consumers to be able to make an informed decision;
 - c) career planning;
 - d) informed decision making - helping people understand what is involved in going to work – what they will gain/lose, etc.; and
 - e) directed outreach - want staff to look at who in the community can best benefit by VR services. The training also addresses outreach to underserved groups.
6. JJS Program – VR has been in a partnership for several years with the Office of Juvenile Services. It is currently serving around 75-80 people, and has had 14 people graduate from their GED program during the past year. They will be developing a mentoring program this coming year. The funding for this program is split evenly between VR and OJS.
7. Newsletter – VR will begin distributing their newsletter again. It will focus on clients who are successful and effective employer partnerships.
8. New staff orientation – Orientation for new staff has been expanded. New staff are in Lincoln for 3 days this week for training on the VR philosophy, ethics, confidentiality, laws and regulations, teams, etc. They will come back at a later date and receive more specialized training on the direct staff services provided through employment teams.
9. Marriott program – This program has been in operation for 3 years and has had approximately 70 people graduate and begin working at Marriott. VR partners with Marriott because they are a quality company that has access to better jobs, better pay, benefits, and long term stability.
10. Rule 71 – The hearing on Rule 71 was held today. This rule addresses the appeal procedure for consumers that disagree over the decision of eligibility or kind of services provided. VR doesn't expect any comments since there were not a lot of

changes made. The council reviewed those changes at the last meeting. After the hearing, it will go to the State Board of Education for approval.

B. CAP Report (*Vicki Rasmussen*)

Rasmussen was not in attendance at the time of this agenda item. A written report is attached to minutes

C. SOS Written Report (*Mark Schultz*)

A written report was distributed at meeting.

D. SILC Report (*Tim Kolb*)

Kolb provided information to the council regarding how the SILC is organized into 3 committees, and the role of each committee:

Outreach/Resource – looks at the potential development of new centers for independent living in the state. They are currently looking at potential sites for a new center in an area of southwestern NE, such as McCook, that been unserved or underserved. As of August, 1999 a new center opened in North Platte. This center is associated with the center for independent living in Grand Island. The resource part of the committee reviews how money is spent. Within the next few months, the committee will be submitting a budget showing how their resources align with the state plan.

Legislative/Public Information Committee – deals with legislative issues and takes action to promote and create legislation that will favorably impact persons with disabilities. This committee is currently organizing a ceremony on July 6 at the Capital to celebrate the anniversary of the Americans with Disabilities Act.

Executive Committee – deals with council business on behalf of the council. They are currently in the process of finishing the 704 report.

VI. Old Business

A. SRC Training from RCEP (*Don Crouch*)

Several months ago the council requested training regarding the role of council based on the changes in the rehabilitation act. Crouch talked to Dave Adams, director of RCEP at Southern Illinois University. Dave has helped councils understand their roles and is willing to talk to the council. His expenses would need to be paid, but he would not charge a stipend. The council wants him to discuss the role of the council, its relationship to VR and the community, what other councils are doing, and the list of council duties from the rehabilitation act in simple terms. Mr. Adams has worked with other councils to help them understand the regulations.

Crouch suggested the council consider having the training in the fall for the first meeting with new members. The council will wait until the May meeting to make a decision.

B. Joint Meeting with Statewide Independent Living Council (*Sue Gieschen*)

The SRC and SILC will both be meeting on May 17. Eileen Fenton, chairperson of the SILC, arranged for Dr. Frederick Schroeder to present to the SILC and the SRC at 3:00 p.m. following their regular meetings. Details on a location for the meeting has not been confirmed, but will be sent out in April.

The SILC is also organizing a politician's forum on Thursday night, May 18. Members of the SRC are encouraged to serve on the planning committee.

C. Committee Reports – (held over lunch hour)

Client Service Delivery Committee – Ortmeier reported that 3 VR staff members attended their committee meeting to provide information on how team services are working in the offices. Arvin Frazier - Area Administrator in Omaha, Judy Vohland – Area Administrator for Kearney/Grand Island/Hastings, and Gaylen Rogers – Office Director in Lincoln presented information on how plans are presented to their teams, how they are reviewed, and how it is working in the different offices. The committee will discuss the information they received at the next meeting and report back to the council.

Interagency Outreach – Shepard reported that the committee discussed having someone from NE Advocacy present to the SRC at a future meeting. Due to the busy meeting agenda in May, this will be scheduled for the August meeting.

The Special Education Advisory Council (SEAC) is meeting next week. Shepard has reviewed the agenda and did not see anything pertinent to this council. The SEAC is revising Rule 51, which is the special education rule regarding transition students.

The committee still has not gotten a commitment from anyone at the School to Work program to present to the SRC. There is a legislative bill to continue school to work activities, which has some support.

Public Policy – Kolb reported:

LB1300, the Medicaid Buy In bill, has not left committee. It will probably remain there and not be placed on general file because the fiscal note is too high.

LB1408, is currently on general file. It would establish a start up project designed to allow individuals to be Medicaid eligible and continue to work. Since it is federally funded, the state would have limited involvement. There is a time problem, so it might not pass. Senator Lynch may move it into clean up legislation.

LB1358 is the homestead exemption bill. There was an attempt to improve the language defining disability, which seemed to make it more acceptable. However, the bill has a sizable fiscal note, and probably will not pass.

VII. New Business

A. Vacancy on Executive Committee (*Sue Gieschen*)

Josie Johnson has resigned from the council for job related reasons. This creates a vacancy on the Executive Committee. Due to the number of council members gone, this will be put on the agenda for the next meeting.

B. Solicitation of New Members (*Sue Gieschen*)

Colleen Peterson has resigned from council. Theresa Hodges has been appointed by the Parent Training Center to replace her. Another council member resigned before the last meeting, and at least two council members are ineligible to renew their terms at the end of the year. This creates several openings on the council. The council needs to focus their efforts on identifying new council members for the next year.

Shepard suggested that a one page brochure or flyer be developed which describes the council, its activities, requirements for membership, meeting information, etc. for council members to use as a reference or handout when talking with people about the council. Cathy will develop one and distribute it to the council with the minutes.

C. Representative for April JAM (*Sue Gieschen*)

The next Joint Agency Meeting (JAM) is scheduled for April 6 in Lincoln. The council suggested that Vavrina be contacted to find out if he would be available to serve as the SRC representative on the panel. Fox volunteered to be the backup if Vavrina is unavailable.

There is also a JAM scheduled during ATP's Technology Odyssey in May. Bloechle will be the SRC representative.

D. Self Employment (*Don Crouch*)

As part of the informed choice requirement, there is an initiative in the agency to help staff make consumers more aware of self employment possibilities. In the past, staff have been hesitant to discuss self employment options with consumers because they feel inadequate in terms of their self employment knowledge. To help staff in this area, VR has contracted with Patty Lind, who operates the entrepreneur program in Iowa. Ms. Lind will help NE VR identify, interview, hire and train 5 different business consultants in NE to work with consumers. VR will contract with these consultants to be available to consumers as needed. The consultants will: 1) assess the feasibility of the plan; 2) help persons develop a business plan; 3) help secure financing/loans; and 4) provide follow up after the business is started. Ms. Lind will also train VR staff in the fall about self employment plans.

E. Employment Warranty (*Jack Shepard*)

The employment warranty program is a way of monitoring individuals after they have reached an employment outcome. Once a consumer is stabilized on a job for 90 days and there are no problems or issues that will interfere with their ability to maintain the job, a job maintenance assessment will be completed and they will be moved into the employment warranty program. Follow up will be done at 6 months, 1 year, 2 years, and 3 years – timelines which are consistent with the requirements of the workforce investment act. Follow up can be done sooner, if needed. While in the employment warranty program, consumers are monitored. If additional services are needed to maintain or advance in employment, an assessment is done, the plan amended, and services are provided. This is a proactive approach which will help ensure long term planning so an individual can maintain employment or advance in employment.

After 3 years, if additional services are not needed, VR will close the data file. If it is anticipated that an individual may need services in the future, the file will remain open. VR anticipates this will reduce the number of people who have to come back in and reapply for services.

F. Financial Participation Committee (*Janet Drudik*)

A handout developed by this committee was distributed which identified the financial participation guidelines for general services, not for post-secondary training. Janet reviewed the major changes including the independent/dependent status and the change in income guidelines.

The committee's recommendation was approved by VR's administrative staff, and has been given to Legal to add to Rule 72. At two different times the committee reviewed cases to see how the changes would impact consumers. It was determined that the changes will probably not impact a lot of consumers because a majority of them will not contribute due to their limited income.

Carey expressed concern about the requirement that consumers use a percentage of their savings when they may be saving for large dollar items, such as a van. Janet noted that area administrators have the authority to grant exceptions.

Comments on the recommendations can be made anytime during the hearing process. The recommendations will be presented to the State Board of Education and then a hearing date will be scheduled. The council agreed to review the information and then vote on the recommendations at the May meeting.

Janet also noted that the committee is recommending the policy be reviewed one year after implementation to determine what impact the changes have made.

I. Career Planning (*Janet Drudik*)

With the recent emphasis on up-front career planning, the Front End Planning committee has developed a statewide career planning guide for staff to use when working with clients. The guide has resources to use when looking at consumer strengths, vocational considerations (relocation, child care issues, transportation, etc.), and how the plan will affect their life. VR's goal is for planning to be done on a more consistent basis.

Several sections are included in the career planning guide such as:

- 1) Employment success skills – appearance, punctuality, relationships with employers or co-workers in past, filling out employment applications, etc.;
- 2) Transferable job skills – can VR help them get into jobs with benefits without entering school;
- 3) Work first policy – identifying ways to explore interests, aptitude, achievement levels, on the job evaluations, job shadowing, informational interview guides, etc.;
- 4) A list of VR partnerships as well as any employer based training that is available;
- 5) Academic training – material regarding costs, employment outlook, wages, etc. for the area they are going into

VR will be presenting the guide to staff at their state staff conference in April. Training sessions on front end planning and how to use the career planning guide will be available to staff at the conference. Starting in May, VR staff will meet with each team to go over the career planning guide and plan to have everyone trained by June. The goal of the guide is to help staff become more successful in developing an employment plan.

G. Post-Secondary Committee Report (*Don Crouch*)

States have the option of asking clients to participate financially in plans for post-secondary education. State that do ask are required to put it into policy. This is separate from the financial participation policy discussed by Janet earlier.

In the current process, a form is sent to the school to complete and send back which shows how much it will cost the individual to attend school, gives the expected financial contribution and shows any grants or aid the individual is eligible for. This information provides VR with the amount of unmet need. According to federal law, VR's contribution cannot exceed the unmet need.

In the past VR has paid the amount equal to tuition, books, and fees without exceeding the unmet need. Over the past few years, many financial aid administrators have indicated that VR is giving students more than they need, since some are getting Pell grants and other aid.

The committee first looked at excluding books and paying the amount equal to tuition and fees. Taking this approach the committee looked at several cases to determine what impact this change would have, and found that it would be minimal. VR's administrative

staff also suggested more cuts. The committee studied the issue more and suggested taking tuition and fees and subtracting 10% of any financial contribution the individual was eligible for. This was taken to administrative staff and not received favorably, so the committee is getting back together to study the issue again. The most recent proposal is to pay the amount equal to tuition and fees. Exceptions can be made by Area Administrators.

H. ADA Celebration (*Alvin Fox*)

A celebration of the ADA is planned for July 6 at State Capitol at 10:00 a.m.. Speakers will include the Governor, senators, and Mayor Wesely, as well as an outside speaker yet to be identified. An alternate site in case of bad weather is being discussed.

A motion to adjourn was made by Temple and seconded by Davis. Meeting adjourned at 3:00 p.m.

Agenda Items for May 17, 2000 Meeting

- Vacancy on Executive Committee
- Financial Participation Policy (vote needed)
- WIA resolution (vote needed)
- RCEP Training
- Recruitment of New Council Members